

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X Case No.: 1:20-cv-06569-PAC
JANE DOE,

Plaintiff,

- against -

PROTECTIVE ORDER

CUBA GOODING, JR.,

Defendant.
-----X

HONORABLE MAGISTRATE JUDGE GORENSTEIN, United States Magistrate
Judge.

It is ORDERED and ADJUDGED that the following Protective Order shall govern the disclosure of the identity of Plaintiff Jane Doe.

1. Counsel for Plaintiff Jane Doe shall immediately provide the full name of Jane Doe (hereinafter her “identity”) to the Defendant’s counsel given that the parties have already begun to engage in discovery.

2. The parties and their respective counsel shall use Jane Doe’s identity solely for purposes of preparing for and conducting this litigation, including any related pre-trial, trial, and post-trial proceedings, and for no other purpose. Defendant shall retain his right to make a future application relative to using her identity following the completion of discovery.

3. The parties and their respective counsel may disclose, communicate, or make Jane Doe’s identity available in whole or in part only to the following persons, and only to the extent necessary for the proper conduct of this litigation, or as otherwise directed by the Court:

- (a) any counsel representing Defendant in this action, along with members and/or employees of such counsel’s firm;
- (b) contracted investigators hired by Defendant or his counsel for the purpose of investigating the facts alleged in the complaint;

- (c) consultants or experts hired by Defendant or his counsel to assist them with this litigation;
- (d) actual or potential deponents or witnesses in this action, and their counsel, during the course of, or to the extent necessary in preparation for, deposition or trial testimony in this action, or to the extent necessary to determine whether they are proper deponents or witnesses in this action;
- (e) any person carrying on an insurance business who may be liable to satisfy part or all of any judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy any such judgment; and
- (f) the Court, pursuant to Paragraph 6 of this Protective Order, as well as court reporters employed in connection with this action, and court personnel as deemed necessary by the Court.

4. Any person described in paragraph 3(a)-(e) above who receives from the parties or their respective counsel disclosure of the identity of Jane Doe shall, prior to receiving such information, execute an Acknowledgment of Protective Order and Agreement to Be Bound, in the form annexed hereto as Exhibit A. If the parties or their respective counsel disclose the identity of Jane Doe to such person without first obtaining an executed Acknowledgment as required in this Paragraph, then that party or his/ her respective counsel may be held in contempt and sanctioned by the Court. The parties and their respective counsel disclosing identity information hereunder shall retain all executed Acknowledgments and shall maintain a log of the persons executing such Acknowledgments and the dates thereof.

5. The parties and their respective counsel shall conform to the following procedure: all subpoenas or requests for information shall be served with the only identity of the plaintiff as “Jane Doe.” Upon receiving a duly executed Acknowledgment of Protective Order and Agreement to Be Bound, the party or his/ her counsel seeking information shall only then be permitted to disclose Plaintiff’s true identity. Nothing in this section modifies each parties’ rights under the Federal Rules of Civil Procedure, including but not limited to, Rule 45.

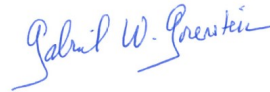
6. If any person or entity to whom Jane Doe's identity is disclosed in accordance with this Protective Order in turn disseminates, publishes, shares, uses, or otherwise discloses Jane Doe's identity in any way that does not conform with this order, then that person or entity may be held in contempt and sanctioned by the Court.

7. In any document either party or his/ her counsel files with the Court, they must do one of the following to preserve the Plaintiff's anonymity:

- (a) Refer only to the Plaintiff as "Plaintiff" or "Jane Doe"; or
- (b) If Jane Doe's identity must be used, file a redacted version with the Court, and file an unredacted version of the same under seal.

8. In any Court hearing or other proceeding before this Court which is open to the public, the parties and their respective counsel shall not disclose the identity of Jane Doe without prior written notice to one another and an opportunity for them to seek relief from this Court prior to the proceeding.

IT IS SO ORDERED.



GABRIEL W. GORENSTEIN
United States Magistrate Judge

Date: May 12, 2022

EXHIBIT A

**ACKNOWLEDGEMENT OF PROTECTIVE ORDER AND
AGREEMENT TO BE BOUND**

I, _____, in connection with the above-captioned lawsuit, hereby acknowledge that I am about to receive the identity of Jane Doe supplied by, as defined in the Protective Order dated May 11, 2022. My personal information is as follows:

Address: _____

Phone No: _____

Email: _____

Present employer: _____

Job Description: _____

I have been provided Jane Doe's identity due to my role in this case as (please check which category applies):

_____ Consultant or expert assisting Defendant or his counsel

_____ Investigator assisting Defendant or his counsel

_____ Actual or potential deponents or witnesses in this action

_____ Counsel of deponent or witness to this action

_____ Insurance Carrier

I represent that I have been provided and have read and understand the Protective Order entered in the above-captioned litigation, and that I will abide by and be bound by its terms in handling Jane Doe's identity, and will not disclose or use, except in accordance with the terms of the Protective Order, Jane Doe's identity. I declare under penalty of perjury that the foregoing is true and correct.

Date: _____

Signature: _____